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# Exhibit A

(Mlive.com article of February 16, 2024 - "Michigan DNR explores new plan to dredge Sleeping Bear Dunes river")



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# **Michigan DNR explores new plan to dredge Sleeping Bear Dunes river**

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The Platte River at Sleeping Bear Dunes National Lakeshore



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BENZIE COUNTY, MI — The state of Michigan is exploring a new plan to resume dredging of the Platte River mouth at the Sleeping Bear Dunes National Lakeshore.

Michigan Department of Natural Resources (DNR) officials say they are looking into buying or contracting a hydraulic dredge that could vacuum pump sand from the river mouth and ease boater access to Lake Michigan.



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The National Park Service owns the river mouth and stopped decades of mechanical dredging there in 2017 to the dismay of state and local officials, anglers and boaters who want access to Platte Bay for recreation and emergency response.

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The Park Service owns the land and river bottom but control over the adjacent water and lake bottom belongs to the state.

"We've been negotiating back-and-forth on what we can do there, because anglers want to launch boats there but the park wants to keep it natural and keep good habitat there for the piping plover," said Jay Wesley, DNR Lake Michigan basin coordinator.

"This is kind of a compromise."

However, it is far from a done deal.

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“We’re not sure we can do it at this point,” Wesley said. “We’re investigating what type of dredge would be necessary, how we could get it in there, whether the DNR purchases such dredge and does it ourselves, or if we hire someone to do the work.”

Park officials are receptive.

“That’s probably the big solution that came out on the table when we met last year,” said Scott Tucker, Sleeping Bear Dunes superintendent.

“If they’re pursuing it, awesome. I look forward to seeing what their plans are when they come to the point where they’re ready to share,” Tucker said.

Annual dredging began in 1968 after seven boaters died on Platte Bay during a 1967 storm because they were unable to enter the shallow river for refuge. Dredging ceased in 2017 after the Park Service decided to naturalize the river mouth.

Absent dredging, boats are largely prevented from accessing Lake Michigan from the site launch. In its natural state, the river mouth is too shallow to enable motorboat passage for anglers drawn each September by the annual coho salmon run.

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Local officials want dredging to resume, arguing that it enables the launch of emergency craft in a high-use area where multiple swimmers have died and marine rescue must now either launch from Empire, Frankfort or come via helicopter.

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The access dispute rose to the fore in August 2022 when the river was illegally diverted through a cut in the long sand spit which had formed along the naturalized mouth.

The DNR left the diversion had a positive effect on the river's sediment flow and alleviated over-saturated marshlands, but the Park Service reacted strongly, launching an investigation that resulted in federal charges against a Frankfort man who was found guilty this month of tampering with the river.

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The Park Service has resisted proposals to establish a nearby alternate launch site directly onto the bay at the end of Tiesma Road out of concern it would cut through habitat for piping plovers and other protected dune plants.

In December, the Park excavated decades of dredge spoils from the beach and built more habitat for piping plovers, an endangered shorebird which is making recovery strides.

Wesley said the DNR would likely pump the dredged sand from the river mouth further into the bay rather than attempt to place it on the shore as beach nourishment.

"I think (the park) is open to the idea if we allow the river to continue to naturally flow," Wesley said. "If we dredge the mouth they're fine with it. We just have to either discharge the sand offshore or have it hauled away immediately. They just they don't want any stockpiling of sand on the beach."

Tucker echoed that.

"They do legally have the ability to dredge their bottomland of Lake Michigan the way they see fit," Tucker said. "The crossover is, the Park Service is not allowing any dredge spoils onto federal land. So, however they dispose of that is through their own permitting system."

Before it could dredge, the DNR would need a permit from the Michigan Department of Environment, Great Lakes and Energy (EGLE) and the U.S. Army Corps of Engineers.

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“I think we’d have some questions about habitat and potential impacts,” said Joe Haas, EGLE water resources supervisor in Gaylord. “I don’t know that mechanical dredge versus hydraulic dredge for us makes a really big difference.”

“I think we’d want to get the approval of the national park,” Haas said. “We wouldn’t be wanting to do something that the park did not support.”

Haas said pumping dredge sand offshore is feasible so long as it was deposited at sufficient depth and wouldn’t be continually washing back ashore or covering native fish spawning habitat in Platte Bay. The department would want to ensure upstream wetlands aren’t being drained if the river level were to drop.

The risk of moving contaminated sediment is low, he said. The Platte has a sandy bottom and a watershed free of industry.

“We don’t want to be going against each other as agencies,” Haas said. “We kind of have the same mission in mind — protecting the resource and allowing public access to the greatest degree that makes sense. So, if we could do both, that’s a win-win.”

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